

IC 31-33-11

Chapter 11. Duty of Hospital Not to Release Child Who Is Subject of Child Abuse or Neglect Report

IC 31-33-11-1

Conditions for release of child under investigation for abuse or neglect; expenses of extended hospital stay

Sec. 1. (a) Whenever:

- (1) a child is subject to investigation by the department for reported child abuse or neglect;
- (2) the child is a patient in a hospital; and
- (3) the hospital has reported or has been informed of the report and investigation;

the hospital may not release the child to the child's parent, guardian, custodian, or to a court approved placement until the hospital receives authorization or a copy of a court order from the department indicating that the child may be released to the child's parent, guardian, custodian, or court approved placement.

(b) If the authorization that is granted under this section is verbal, the department shall send a letter to the hospital confirming that the department has granted authorization for the child's release.

(c) The individual or third party payor responsible financially for the hospital stay of the child remains responsible for any extended stay under this section. If no party is responsible for the extended stay, the department shall pay the expenses of the extended hospital stay.

As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.133.